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HEWLETT-PACKARD COMPANY Intellectual Property Administration 3404 E. Harmony Road Mail Stop 35 FORT COLLINS, CO 80528			EXAMINER AGWUMEZIE, CHARLES C	
			ART UNIT 3685	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/817,333	<b>Applicant(s)</b> PEARSON, SIANI LYNNE	
	<b>Examiner</b> CHARLES C. AGWUMEZIE	<b>Art Unit</b> 3685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 14-19 is/are pending in the application.
- 4a) Of the above claim(s) 1-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 14-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 02 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                        |                                                                   |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/02/2004</u> .                                              | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of group 1: claims 1-9 and 14-17 in the reply filed on May 13, 2009 is acknowledged. Accordingly claims 1-9, 14-17 and 18-19 remain pending.

### ***Acknowledgments***

2. Applicant's amendment filed on May 13, 2009 is acknowledged. Accordingly claims 1-9, 14-17 and 18-19 remain pending and have been examined.

### ***Response to Arguments***

3. Applicant's arguments filed February 2, 2009 have been fully considered but they are not persuasive with respect to claims 1-9, 14-17 and 18-19.

4. With respect to **claims 1 and 14**, Applicant argues that Chen does not teach using both (1) "a pseudonymous identity" and (2) "real data generalized into mapped data in response to the assessment of trust" as set forth in claims 1 and 14.

In response, Examiner respectfully disagrees and submits that Chen does disclose the claimed limitation. In Chen, and with respect to (1) above the consumer obtains temporary identity (a pseudonymous identity) from the Broker which is used by the consumer to make a purchase from the vendor by using the temporary identity (see col. 1, lines 42-68). With respect to (2) above the vendor forwards the temporary identity to the Broker, the Broker matching the temporary identity to a current list of temporary identities and obtaining the true customer identity (real data generalized into mapped

data) (col. 1, lines 42-68). Chen further teach withholding the true identity of the consumer, the sensitive financial data of the consumer and only the information necessary to carry out the transaction is shared with the vendor. Thus Chen does selectively withhold data as claimed.

**5.** Applicant further argues that Chen patent does not teach selectively generalizing the purchase information. That Chen's consumer instead uses a pseudonymous identity to make a purchase but then uses real data to identify the selected item to purchase.

In response, Examiner respectfully disagrees with Applicant characterization and submits that Chen does teach selectively generalizing the purchase information. This is true because in Chen the true identity of the consumer and the sensitive financial data of the consumer are withheld from the vendor and only the information necessary to carry out the transaction is shared with the vendor. Thus Chen does selectively withhold data as claimed. However Applicant is reminded that in ecommerce transaction it is very important that items to be purchased be identified with particularity. Thus and as conceded by the Applicant Chen does not generalize the purchase data because doing so would make difficult the determination of which items exactly the consumer would want to purchase. Besides of what benefit will it be for the Chen's consumer to selectively generalizing the items to be purchased. However since no such limitation is claimed by the Applicant no further weight will be accorded to this line of argument.

**6.** Applicant further argues that Chen Patent does not teach a system where data is selectively generalized if certificate is less than valid.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "a system where data is selectively generalized if certificate is less than valid") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

7. With respect to **claims 2, 15 and 16**, Applicant argues that these dependent claim are patentably distinguishable from the references of record either by virtue of their dependency from their respective independent claims or by the individually recited features.

In response Examiner respectfully disagrees and submits that claims 2, 15 and 16 are neither patentably distinguishable from the prior art by virtue of their dependency from their respective independent claims nor by their individually recited features.

8. With respect to **claims 3-5 and 7-8**, Applicant argues that the Murray Publication does not teach the features of "providing real data about the first entity to the second entity where the real data is selectively generalized into mapped data in response to the assessment of trust" as set forth in claim 1.

In response, Examiner respectfully submits that Murray Publication was not introduced for the purposes of this limitation. Besides Chen does teach or disclose "providing real data about the first entity to the second entity where the real data is selectively generalized into mapped data in response to the assessment of trust" as shown in the rejection.

**9.** With respect to **claims 6 and 9**, Applicant argues that the Camnisch et al Publication does not teach the features of “providing real data about the first entity to the second entity where the real data is selectively generalized into mapped data in response to the assessment of trust” as set forth in claim 1.

In response, Examiner respectfully submits that Camnisch Publication was not introduced for the purposes of this limitation. Besides Chen does teach or disclose “providing real data about the first entity to the second entity where the real data is selectively generalized into mapped data in response to the assessment of trust” as shown in the rejection.

**10.** Applicant argument with respect to **claims 10-13** is moot in view of the cancellation of claims 10-13.

**11.** With respect to **claim 17**, Applicant argues that the Labelle Patent does not teach the features of “providing real data about the first entity to the second entity where the real data is selectively generalized into mapped data in response to the assessment of trust” as set forth in claim 1.

In response, Examiner respectfully submits that Labelle Patent was not introduced for the purposes of this limitation. Besides Chen does teach or disclose “providing real data about the first entity to the second entity where the real data is selectively generalized into mapped data in response to the assessment of trust” as shown in the rejection.

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**12.** The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claims 1, 14 and 17**, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically it would be unclear to one of ordinary skill in the art to understand the technical meaning of what Applicant meant by "selectively generalized into mapped data" According to online dictionary, generalize refers to give a general rather than a specific or special character or form to, to make general. Therefore it is unclear how one can selectively generalize into mapped data. You cannot go from general to specific and still have generalized data.

Claims 2-9, and 15-19 are also rejected by virtue of their dependency on claims 1 and 14.

### ***Claim Rejections - 35 USC § 102***

**13.** The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**14.** **Claims 1, 2 and 14-16**, are rejected under 35 U.S.C. 102(b) as being anticipated by Chen et al, US Patent 7096204 (hereinafter "Chen").

**15.** Regarding **claims 1, and 14**, Chen specifically discloses a method of conducting a transaction between a first entity and a second entity where as part of the transaction the second entity or an examination agent operating on behalf of the second entity requires information to assess a level of risk associated with transacting with the first entity, the method comprising:

a) a first data processor (vendor computer fig. 8) acting on behalf of the first entity requesting a second data processor (Broker or gateway computer ) acting on behalf of the second entity to provide trust data about a trust level of the second data processor (abstract, figure 6, column 1 lines 42-68, claim 1)

b) the first data processor (trusted computing platform [see abstract, column 1 lines 42-58]) acting on behalf of the first entity analyzing the trust data and determining an assessment of trust of the second data processor operating on behalf of the second entity (figure 6, column 1 lines 42-68, col. 9, lines 50-65. claim 1)

c) defining a pseudonymous identity for the first entity (abstract, column 1 lines 42-68, claim 1) and

d) providing real data about the first entity to the second entity where data is selectively generalized into mapped data in response to the assessment of trust (column 1 lines 42-column 2 line 10, column 2 lines 24-3', claim 1, claim 11).

**16.** With regards to **claim 2**, Chen discloses a method of conducting a transaction, in which the method further comprises entering into a contract for the transaction based on



the mapped data provided about the first entity such that the identity of the first entity remains unknown to the second entity (abstract, column 1 line 42-68. claim 1).

17. With regards to **claim 15**, Chen clearly discloses an apparatus, in which the first computer executes a policy agent which controls how the real information relating to the first entity is disclosed. (column 1 line 59 – column 2 line 10, column 2 lines 24-31).

18. Regarding **claim 16**, Chen discloses an apparatus, in which the first computer has a trusted platform module which generates a user identity which can be used to confirm the identity of the first entity. (column 1 lines 42-58, claim 1).

### ***Claim Rejections - 35 USC § 103***

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. **Claims 3-5, and 7-8**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen as applied to claims 1 and 2 above, and further in view of Maury et al, US PGPub 2002/004064 (hereinafter referred to as Maury).

21. Regarding **claim 3**, Chen discloses the method of claim 1, but does not discuss the additional limitation of the purchase of insurance or the evaluation of user data for the purposes of pricing an insurance policy. Maury discloses a method for selling

insurance products (abstract) which includes the step of sending user data to an evaluation server which places the user in a risk tier (abstract, figure 6, paragraph [0011]), then sending this information to a rating server which provides a policy "quote" (service price) for the user (figure 6, paragraph [0011]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the secure transaction process of Chen with the insurance service provider of Maury to offer a higher level of security to potential customers while ensuring that the potential customer is in possession of their identifying information.

**22.** With regards to **claim 4**, the method of claim 3 as discussed above further comprising the limitation of being able to correlate the pseudonymous identity with the first identity for the purposes of claim collection. Maury first discusses a client number which is given to the user at the time of quote generation and is then stored in a database alongside the user's personal data (abstract, [0012], claim 1). Additionally Maury discloses a number generated by the host application which is to be used by the customer to identify his or herself during calls to customer service representatives (fig 6, fig 7, [0038], [0040]).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Chen with the numbering of Maury, because contacting a customer service representative is a necessary part of the insurance claim process, and providing a specific number to customers for reference, not only expedites the customer

service process but provides an additional level of security for customer's personal information.

**23.** Regarding **claim 5**, Chen describes the method of claim 1 and also discusses the use of a trusted computing platform which can be demonstrated to be reliable, to the user (fig 1, column 2 lines 10-13). Maury discloses the generation of username and password for a customer ( fig 9, [0010], [0044]) as well as the application module used for customer numbering system discussed in regards to claims 4 and 12 (fig 6, fig 7, [0038], [0040]).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the two in order to provide a high level of security for customer personal information while maintaining a strong correlation between the user's identities for the insurer.

**24.** Regarding **claim 7**, Chen discloses the method of claim 1 but does not discuss a policy agent which interacts with an examination agent in order to negotiate a policy. Maury discusses an on-line interface which accepts user data and transmits this to a quotation tool which evaluates the data and helps the customer decide which insurance products best suit his or her needs (fig 3, [0009], [0011]). It would have been obvious to one of ordinary skill in the art at the time of invention to combine Chen with the

insurance selection tool of Maury in order to increase the level of transaction security provided by the system.

**25.** With regards to **claim 8**, the method of claim 5 as discussed above further comprising the steps of authenticating between the policy agent and the examination agent, for the purposes of correlating user identities. Maury discloses the secure examination of communications between the web-application and the various servers (including database and rating server) user for examination ([0034]). The web-application also assigns an application number to the client for the purposes of correlating between username and true identity (fig 6, fig 7, [0038], [0040]). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the two in order to improve the security of customer information during the transaction process.

**26.** **Claim 6 and 9** are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen as applied to claim 1 above, and further in view of Cammisch et al, US PGPub 2002/0103999 (hereinafter to as Cammisch).

**27.** Regarding **claim 6**, Chen discloses the method of claim 1, as well as disclosing a trusted computing platform (column 2 lines 10-12) but does not disclose the further limitation of an agent which defines how information about the user can be disclosed.

Cammisch discloses a system in which user information is not disclosed except under certain circumstances ([0008], [0009], [0025]-0028]). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the invention to offer greater anonymity to the user while improving system security.

**28.** With regards to **claim 9**, Chen discloses the method of claim 1, but does not discuss the distribution of data based on user's security policy. Cammisch describes a system in which the user can choose which organization will receive different types of credentials from him or here ([0009]-[0010]). It would have been obvious to one of ordinary skill in the art at the time of invention because it would improve the level of user anonymity and overall information security.

**29.** **Claims 18-19**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen U.S. Patent No. 7,096,204 (hereinafter "Chen") in view of Maury et al, (hereinafter "Maury") US PGPub 2002/004064 and LaSalle et al U.S. Patent Application Publication No. 2006/0259320 A1 and further in view of Cammisch U.S. Patent Application Publication No. 2002/0103999.

**30.** Regarding **claim 18**, Chen discloses a method of conducting a transaction between a vendor and a buyer via a third party via a trusted computing platform (abstract, column 1 lines 42-58). Chen also discusses a data processor performing an

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analysis of trust on another entity (figure 6, column 1 lines 42-68, column 9 50-65. claim 1). Maury discloses the steps of an insurer making its conditions for insurance available to a user both by asking the user to enter personal information and providing insurance quotes back to the user , to which the user makes this information known by entering the data([0009]-[0011], [0024]-[0025]). The entered data is then analyzed by the insurance system to determine what the premium to be paid by the customer will be (abstract, figs 4, 6, 7, [0010] – [0011]). What is not disclosed by Chen and Maury are the limitations of making the insurance policy information available to a third party, validating that a policy has been issued, the policy agent's ability to determine and selectively adjust amount of information disclosure, and examining the trustworthiness of the third party. LaSalle describes the method in which the trustworthiness of a third party is established (see figs. 9-11). Camnisch discloses a method of anonymous credential verification. Using this method, Cammisch describes a scenario involving sale of insurance through the third party system, in which the insurance company requires verification of a driver's license certificate as a condition for obtaining insurance ([0024]-[0028]. Once the customer has purchased insurance, validation of this fact is done by a show of a credential by the customer to the potential vendor ([0026]-[0027]). Purchase of credentials is made by the customer through the third party, which negotiates the transmission of public/private keys between the two, informing the customer of what information (credentials) the organization needs for verification and informs the organization that the customer has met requirements and a new credential should be

issued to them ([0016]-[0018]). User information is not disclosed by the system except under certain circumstances ([0008], [0009], [0025]-[0028]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the third party transaction method of Chen, with the insurance purchasing method of Maury, the selective provisioning of user data of LaSalle and the secure third party verification system of Cammisch in order to increase information integrity for the customer, as well as reducing risk of fraud for the insurance company which in turn will reduce costs.

**31.** As per **claim 19**, Chen failed to explicitly disclose the method wherein the insurer and customer are each acting on behalf of themselves.

Maury discloses the method wherein the insurer and customer are each acting on behalf of themselves (([0009]-[0011], [0024]-[0025])).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the method of Chen, with the insurance purchasing method of Maury, wherein the insurer and customer are each acting on behalf of themselves in order to increase information integrity for the customer, as well as reducing risk of fraud for the insurance company which in turn will reduce costs.

**32.** **Claim 17**, is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen as applied to claims 1 above, and further in view of Labelle et al (hereinafter "Labelle") U.S. Patent No. 7,240,017 B2.

**33.** As per **claim 17**, Chen further discloses the method of conducting a transaction between a first entity and a second entity wherein the second entity comprises a selected one of a plurality of prospective second parties and wherein the first data processor acting on behalf of the first entity requests one or more data processors acting on behalf of each of the prospective second party to provide data about itself (abstract, figure 6, column 1 lines 42-68, claim 1);

b) the first data processor acting on behalf of the first entity analyzing responses and determining an assessment of trust of the data processor operating on behalf of each prospective second party (figure 6, column 1 lines 42-68, column 9 50-65. claim 1);

c) defining a pseudonymous identity for the first entity (abstract, column 1 lines 42-68, claim 1)); and

d) providing data about the first entity to a group of the prospective second parties where data is selectively generalized for each prospective second party in said group of prospective second parties in response to the assessment of trust associated with each data processor operating on behalf each of said group of second parties (column 1 lines 42-column 2 line 10, column 2 lines 24-3', claim 1, claim 11).

**34.** What Chen does not explicitly disclose is:

providing data about first entity to a group of prospective second parties



**35.** Labelle discloses providing data to a group of prospective second parties (see fig. 1; “insurance companies” fig. 2, which discloses contract with insurance companies 204).

Accordingly it would have been obvious to one of ordinary skill in the art at time of applicant’s invention to modify the method of Chen and incorporate the method comprising, providing data about first entity to a group of prospective second parties in view of the teachings of Labelle in order to increase information integrity for the customer, as well as reducing risk of fraud for the insurance company which in turn will reduce costs.

### ***Conclusion***

**36.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Charles C.L. Agwumezie** whose number is **(571) 272-6838**. The examiner can normally be reached on Monday – Friday 8:00 am – 5:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Calvin Hewitt can be reached on **(571) 272 – 6709**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Charlie C Agwumezie/  
Primary Examiner, Art Unit 3685  
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